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WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
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Item 9 of the provisional agenda

CONSIDERATION OF THE FINAL OUTCOME OF THE WORLD CONFERENCE, TAKING INTO CONSIDERATION THE PREPARATORY WORK AND THE CONCLUSIONS OF THE REGIONAL MEETINGS

Note by the Secretariat

Contribution from the Carter Center of Emory University (Atlanta, Georgia)

1. The attention of the Preparatory Committee is drawn to a letter dated 3 February 1993 from Mr. Jimmy Carter addressed to the Assistant Secretary-General for Human Rights forwarding the text of the Atlanta Statement containing proposals for strengthening the United Nations human rights system.

2. The Atlanta Statement was prepared by an international group of experts who attended a colloquium entitled "United Nations and Human Rights: Toward a More Effective System of Protection" organized by The Human Rights Program of The Carter Center of Emory University (Atlanta, Georgia) on 14 and 15 January 1993. The text of the statement is attached to the present note.

THE CARTER CENTER OF EMORY UNIVERSITY

Human Rights Program

THE ATLANTA STATEMENT

Proposals for strengthening
the United Nations human rights system

prepared by
an international group of experts
who attended a colloquium
United Nations and Human Rights:
Toward a More Effective System of Protection

organized by
The Human Rights Program of
The Carter Center of Emory University

January 14 and 15, 1993
Atlanta, Georgia

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THE ATLANTA STATEMENT

In preparation for the World Conference on Human Rights, the Carter Center convened an international colloquium on January 14-15, 1993, in Atlanta, in collaboration with the United Nations and other international human rights organizations to formulate concrete proposals for strengthening the United Nations human rights system. The proposals will be submitted for adoption by the World Conference on Human Rights in Vienna in June 1993.

The colloquium was chaired by former President Jimmy Carter and was attended by Haiti President Jean-Bertrand Aristide, H.R.H. Crown Prince El Hassan Bin Talal of Jordan, United Nations Assistant Secretary General for Human Rights Ibrahima Fall, representatives of international human rights organizations, academicians, and international human rights experts.

Participants noted with satisfaction U.N. achievements in developing an impressive body of human rights standards and a sophisticated machinery for carrying out its human rights mandate. However, there was general concern about U.N. failure to adequately address many situations of gross human rights violations, lack of adequate resources for U.N. human rights activities, weak coordination between various components of the U.N. human rights system, lack of political will by many governments to implement U.N. human rights standards, lack of universal ratification of human rights treaties, and absence of effective mechanisms for the

equal implementation of economic, social, and cultural rights.

The double standard approach of many governments was noted as an extremely serious form of undermining the human rights movement especially when practiced by states claiming to be its vanguard.

Colloquium participants urged the U.N. Member States to adopt and promote the following recommendations at the World Conference on Human Rights:

1. The World Conference should reaffirm the universality, indivisibility, and interdependence of economic, social, and cultural rights, and civil and political rights; the importance of the right to development; and the importance of a social and humanitarian international order in which these rights and freedoms and the pursuit of democracy can be fully realized. The Conference should urge all states to ratify all international treaties in the field of human rights, to withdraw limiting reservations, and to guarantee their treaty obligations relating to both economic, social, and cultural rights, and civil and political rights; there should be further development by the U.N. of procedures to monitor implementation of these rights; very careful consideration should be given in this regard to the adoption of an optional protocol to the Covenant on Economic, Social, and Cultural rights which would permit the examination of complaints alleging violations of the rights contained in the Covenant;

2. There is a need to accord human rights a higher priority in the work of the U.N. Colloquium participants called for the establishment of the office of a Special Commissioner for Human Rights within the U.N., empowered to act promptly to prevent or check human rights violations, to coordinate human rights aspects of all U.N. programs, and to ensure that objective reporting on the human rights situation in all countries is placed before the responsible human rights bodies. At the same time, the existing human rights mechanisms, such as the system of country and thematic rapporteurs and working groups should be preserved and strengthened;

3. There was general agreement that a quantum increase is needed urgently in the grossly inadequate financial and human resources available to the U.N. Human Rights Centre, which currently amounts to less than 1% of the budget of the U.N. and 0.75% of its staff;

4. The Commission on Human Rights should develop more flexible and innovative programs to respond to the challenges it faces, including:

a. Developing its capacity for independent analysis, especially through the Sub-Commission for Prevention of Discrimination and Protection of Minorities, which should be supported and reinforced;

b. Strengthening its capacity to deal with gross violations of human rights, including developing operational rules for independent fact finding and on-site monitoring ;

c. Developing an effective emergency response mechanism;

d. Supporting and strengthening the thematic mechanisms, including (i) providing for a regular annual meeting of all its mechanisms; (ii) allowing the mechanisms to examine country situations on their own initiative where violations within their mandates are occurring on a wide scale; (iii) providing the necessary resources for on-site visits, including joint visits, to be a more regular and frequent aspect of their work; (iv) having a more sustained and in-depth follow-up of their recommendations by the country concerned, the international community and the mechanism itself; (v) integrating their recommendations and work into the provision of advisory services; and (vi) significantly increasing the human and financial resources available to each of the mechanisms to carry out their work;

e. Responding more effectively to pervasive violations of women's rights, including gender specific abuses, and appointing a Special Rapporteur in this field;

f. Placing the promotion of indigenous peoples' rights on its agenda, ensuring the meaningful participation of indigenous

representatives and responding more effectively to violations of indigenous peoples' rights;

5. There is a need to provide sufficient resources to the Centre for Human Rights to enable it to develop the information base for a fully integrated approach to U.N. action on individual countries and for the evolution of an annual world-wide report on human rights;

6. There is a need for an integrated U.N. program of technical cooperation in the field of human rights. On the basis of clear criteria, such a program should insure the implementation and evaluation of long-term, country-oriented projects strengthening national human rights infrastructures;

7. In order to enhance the credibility, impartiality and effectiveness of the human rights system, a clear separation should be introduced between an independent body charged with investigating human rights abuses and a body that authorizes sanctions in response to gross violations of human rights. The establishment of an International Penal Court to try gross violations of human rights is an important first step in this direction;

8. Human rights should be an integrated element of all U.N. peace keeping, conflict resolution, election monitoring, development programs, and other related activities. The human rights program,

and especially its expert bodies, should be fully involved in the planning, implementation, and follow-up of all such activities. Consideration always should be given to appropriate follow up measures by the U.N. human rights program to ensure the promotion and protection of human rights after the termination of a U.N. operation. This should include a continued on-site U.N. human rights presence and/or other measure, such as the appointment of a country expert by the Commission on Human Rights;

9. Action by the Security Council on behalf of human rights in circumscribed situations should be exercised with caution on the basis of clear criteria to be developed, which should ensure the impartiality, legitimacy, transparency, and accountability of its operations. In situations where collective action is contemplated against a state, regional arrangements should be given consideration in accordance with Chapter VIII of the Charter of the United Nations to arrive to acceptable solutions;

10. National, regional, and international non-governmental organizations should be recognized by governments, the U.N., and regional inter-governmental institutions as full partners in the field of human rights. Cooperation with non-governmental organizations (NGO's) in all aspects of human rights programs should be strengthened. NGO's should be guaranteed full access to international and regional human rights mechanisms and procedures and be encouraged to contribute their information, views, and expertise in the carrying out of human rights activities by

international and regional bodies;

11. There is a need for a more simplified and uniform procedure for monitoring compliance with international human rights treaties. Participants recommended that all treaty-monitoring bodies should be merged. The unified body would be able to examine the overall situation in a country more consistently and should be empowered to receive petitions from groups and individuals. This body should have adequate human and financial resources;

12. The U.N. should promote the introduction of human rights education in its broadest sense, including at the formal and informal levels in order to create a new human rights culture;

13. The organizations of the United Nations system should themselves be monitored and be required to report to the appropriate U.N. agency periodically in detail on their performance in relation to human rights, including implementation of Article VIII of the United Nations Charter.